

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

| | | |
|------------------------|---|--------------------------|
| In Re: |) | Case No. 19 B 35559 |
| |) | |
| LAWRENCE E. LARIVIERE, |) | Chapter 13 |
| |) | |
| Debtor. |) | Hon. A. Benjamin Goldgar |

**NOTICE OF MOTION OF AMERICAN HONDA FINANCE CORPORATION
TO MODIFY AUTOMATIC STAY**

VIA ELECTRONIC NOTICE:

To: Glenn B. Stearns (Trustee)
801 Warrenville Road, Suite 650
Lisle, Illinois 60532

David M. Siegel, Esq. (Debtor's Counsel)
David M. Siegel & Associates
790 Chaddick Drive
Wheeling, Illinois 60090

VIA U.S. MAIL:

To: Lawrence E. Lariviere (Debtor)
340 Holdridge Avenue
Winthrop Harbor, Illinois 60096

PLEASE TAKE NOTICE that on April 23, 2021 at 9:30 a.m., I will appear telephonically before the Honorable A. Benjamin Goldgar, or any judge sitting in his/her stead, and present the *Motion of American Honda Finance Corporation to Modify Automatic Stay*, a copy of which is attached.

This Motion will be presented and heard electronically using Zoom for Government. No personal appearance in court is necessary or permitted. To appear and be heard telephonically on the Motion, you do the following:

To appear by video, use this link: <https://www.zoomgov.com/>. Then enter the meeting ID and password.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and password.

Meeting ID and password. The meeting ID for this hearing is 160 817 7512 and the password is 623389. The meeting ID and password can also be found on the judge's page on the court's web site.

If you object to this Motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the Motion will be called on the presentment date. If no Notice of Objection is timely filed, the Court may grant the Motion in advance without a hearing.

Respectfully submitted,

AMERICAN HONDA FINANCE
CORPORATION,
Creditor,

By: /s/ Cari A. Kauffman
One of its attorneys

David J. Frankel (Ill. #6237097)
Cari A. Kauffman (Ill. #6301778)
Rocio Herrera (Ill. #6303516)
Sorman & Frankel, Ltd.
180 North LaSalle Street, Suite 2700
Chicago, Illinois 60601
(312) 332-3535 / (312) 332-3545 (facsimile)

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that I have served a copy of this Notice along with the attached Motion upon the above-named persons by electronic filing or, as noted above, by placing same in a properly addressed and sealed envelope, postage prepaid, and depositing it in the United States Mail at 180 North LaSalle Street, Chicago, Illinois on April 14, 2021, before the hour of 5:00 p.m.

/s/ Cari A. Kauffman

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| LAWRENCE E. LARIVIERE, |) | Chapter 13 |
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**MOTION OF AMERICAN HONDA FINANCE CORPORATION
TO MODIFY AUTOMATIC STAY**

AMERICAN HONDA FINANCE CORPORATION (“Honda”), a creditor herein, by its attorneys, the law firm of Sorman & Frankel, Ltd., respectfully requests this Court, pursuant to Section 362 of the Bankruptcy Code, 11 U.S.C. §362 (West 2021), and such other Sections and Rules may apply, to enter an Order modifying the automatic stay provided therein. In support thereof, Honda states as follows:

1. On December 18, 2019, Lawrence E. Lariviere (“Debtor”) filed a Voluntary Petition for Relief under Chapter 13 of the Bankruptcy Code. On March 16, 2020, Debtor filed an Amended Chapter 13 Plan, which provides for direct payments from Debtor to Honda on Honda’s secured claim, and which was confirmed on March 27, 2020.
2. Honda is a creditor of the Debtor with respect to a certain indebtedness secured by a lien upon a 2018 Honda HRV motor vehicle bearing a Vehicle Identification Number of 3CZRU6H33JG719912 (the “Vehicle”). (See Ex. “A”).
3. Debtor has failed to make required payments to Honda due on and after March 25, 2021.
4. On or about April 9, 2021, Debtor voluntarily surrendered the Vehicle to the dealership.

5. Debtor has failed to provide Honda or its counsel with proof of a valid full coverage insurance policy for the Vehicle identifying Honda as the lienholder/loss payee.

6. As such, Honda seeks relief from the automatic stay so that Honda may sell the Vehicle and apply the sales proceeds to the balance due from Debtor.

7. Debtor has not offered, and Honda is not receiving, adequate protection for its secured interest or depreciating value. Further, Debtor has no equity in the Vehicle and the Vehicle is not necessary to an effective reorganization by Debtor.

8. Honda will suffer irreparable injury, harm, and damage should it be delayed in foreclosing its security interest in the Vehicle.

9. Honda requests that Bankruptcy Rule 4001(a)(3) not apply to any Order granting this Motion.

WHEREFORE, American Honda Finance Corporation respectfully requests that this Court enter an Order, as attached hereto, modifying the automatic stay provided by Section 362 of the Bankruptcy Code to permit Honda to foreclose its security interest in the 2018 Honda HRV motor vehicle bearing a Vehicle Identification Number of 3CZRU6H33JG719912; and, for such other, further, and different relief as this Court deems just and proper.

Respectfully submitted,
AMERICAN HONDA FINANCE
CORPORATION,
Creditor,
By: /s/ Cari A. Kauffman
One of its attorneys

David J. Frankel (Ill. #6237097)
Cari A. Kauffman (Ill. #6301778)
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